

FAUSTO E. ZAPATA JR. PC FAUSTO E. ZAPATA JR. PC

U S DISTRICT COURT EASTERN DISTRICT STATE OF NEW YORK

CARMEN MAIDANA

PLAINTIFF

index No. 11 CIV  
2606 (CBM) (CLP)  
Date Filed

- vs -

LA ESQUINA CRIOLLA RESTAURANT, INC. ETAL

DEFENDANT

Office No.  
Court Date.

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

HOWARD HERTZFELD being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York.

That on the 17TH day of AUGUST, 2011 10:40AM at

% LA ESQUINA CRIOLLA RESTAURANT INC. 94-67 CORONA AVE.  
ELMHURST NY 11373

I served the SUMMONS AND AMENDED COMPLAINT, ORDER,  
upon ABAD BALLINAS

the DEFENDANT therein named by delivering and leaving a true copy or copies of the  
aforementioned documents with ABAD BALLINAS  
said DEFENDANT personally.

Deponent describes the person served as aforesaid to the best of  
deponent's ability at the time and circumstances of the service as follows.

SEX: MALE COLOR: WHITE HAIR: BLACK

APP.AGE: 49 APP. HT: 5/9 APP. WT: 170

OTHER IDENTIFYING FEATURES

That at the time of service, as aforesaid, I asked the DEFENDANT whether he/she was in the military service of the United States Government, or of the State of New York, and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the DEFENDANT is not in the military service, and is not dependent on anyone in the military service of the United States Government or the State of New York, as that term is defined in statutes of the State of New York, or of the Federal Soldiers and Sailors Civilian Relief Act.

Sworn to before me this  
19TH day of AUGUST, 2011

BRETT GOLUB  
Notary Public, NASSAU COUNTY  
01G06129491  
Qualified in NASSAU COUNTY  
Commission Expires 06/27/2013

HOWARD HERTZFELD 778037  
AETNA JUDICIAL SERVICE INC  
225 BROADWAY, SUITE 1802  
NEW YORK, NY, 10007  
Reference No: 7-FEZ-156246